

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION BY THE PUBLIC SERVICE)	
COMMISSION OF THE APPLICATION OF THE)	
FUEL ADJUSTMENT CLAUSE OF BIG RIVERS)	CASE NO. 94-458-C
ELECTRIC CORPORATION FROM NOVEMBER 1,)	
1995 TO APRIL 30, 1996)	

O R D E R

Pursuant to Commission Regulation 807 KAR 5:056, Section 1(11), IT IS HEREBY ORDERED that:

1. Big Rivers Electric Corporation ("Big Rivers") shall appear at the Commission's offices in Frankfort, Kentucky, on August 22, 1996 at 9:00 a.m., Eastern Daylight Time, to submit itself to examination on the application of its fuel adjustment clause ("FAC") from November 1, 1995 to April 30, 1996.

2. Big Rivers shall notify its customers in writing of the date, time, place, and purpose of the hearing or shall publish such notice in accordance with 807 KAR 5:011, Section 8(5).

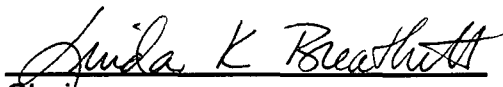
3. Big Rivers shall, on or before July 12, 1996, file with the Commission an original and 6 copies of the information requested in Appendix A, attached hereto and incorporated herein. Each copy shall be placed in a bound volume with each item tabbed. When a number of sheets are required for an item, each sheet should be appropriately indexed; for example, Item 1(a), Sheet 2 of 6. Big Rivers shall furnish with


each response the name of the witness who will be available at the public hearing to respond to questions concerning each area of information requested. Careful attention shall be given to copied material to ensure its legibility.

4. The records of Cases No. 94-458,¹ No. 94-458-A,² and 94-458-B,³ Big Rivers' monthly FAC filings, and all other materials which Big Rivers filed with the Commission pursuant to 807 KAR 5:056 for the period from November 1, 1995 to April 30, 1996 are incorporated by reference into the record of this proceeding.

Done at Frankfort, Kentucky, this 13th day of June, 1996.


PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:


Executive Director


Commissioner

¹ Case No. 94-458, An Examination by the Public Service Commission of the Application of the Fuel Adjustment Clause of Big Rivers Electric Corporation from November 1, 1992 to October 31, 1994.

² Case No. 94-458-B, An Examination by the Public Service Commission of the Application of the Fuel Adjustment Clause of Big Rivers Electric Corporation from November 1, 1994 to April 30, 1995.

³ Case No. 94-458-B, An Examination by the Public Service Commission of the Application of the Fuel Adjustment Clause of Big Rivers Electric Corporation from May 1, 1995 to October 31, 1995.

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 94-458-C DATED JUNE 13, 1996.

1. List each written coal supply solicitation issued during the period from November 1, 1995 to April 30, 1996.

a. For each, provide the date of the solicitation, the type of solicitation (contract or spot), the quantities solicited, a general description of the quality of coal solicited, the time period over which deliveries were requested, and the generating unit(s) for which the coal was intended.

b. For each, state the number of vendors to which the solicitation was sent, the number of vendors which responded, and the selected vendor. Provide the bid tabulation sheet or corresponding document which ranked the proposals. (This document should identify all vendors which made offers.) Briefly discuss the reasons for each selection.

2. List each oral coal supply solicitation issued during the period from November 1, 1995 to April 30, 1996.

a. For each, provide a brief explanation of why the solicitation was not written, the date(s) of the solicitation, the quantities solicited, a general description of the quality of coal solicited, the time period over which deliveries were requested, and the generating unit(s) for which the coal was intended.

b. For each, identify all vendors solicited and the vendor selected. Provide the tabulation sheet or other document which ranked the proposals. (This

document should identify all vendors who made offers.) Briefly discuss the reasons for each selection.

3. For the period from November 1, 1995 to April 30, 1996:
 - a. List each vendor from which coal was purchased and the quantities and the nature of each purchase (e.g., spot or contract).
 - b. State the number of solicitations issued to each vendor listed in part (a), identified as contract or spot solicitations, and the number of proposals made by each vendor in response to the solicitations.
4. For each generating station or unit for which a separate coal pile is maintained, state for the period from November 1, 1995 to April 30, 1996 the actual amount of coal burned in tons, actual amount of coal deliveries in tons, total KWH generated, and actual capacity factor at which the plant operated.
5. List all firm power commitments for Big Rivers from November 1, 1995 to April 30, 1996 for (a) purchases and (b) sales. This list shall identify the electric utility, the amount of commitment in MW and the purpose of the commitment (e.g., peaking, emergency).
6. Provide a monthly billing summary for sales to all electric utilities for the period November 1, 1995 through April 30, 1996.
7. List Big Rivers' scheduled, actual, and forced outages between November 1, 1995 and April 30, 1996.
8. List all existing fuel contracts categorized as long-term (i.e., more than 1 year in length). Provide the following information for each contract:

- a. Supplier's name and address;
- b. Name and location of production facility;
- c. Date when contract executed;
- d. Duration of contract;
- e. Date(s) of each contract revision, modification or amendment;
- f. Annual tonnage requirements;
- g. Actual annual tonnage received since the contract's inception;
- h. Percent of annual requirements received during the contract's term;
- i. Base price;
- j. Total amount of price escalations to date;
- k. Current price paid for coal under the contract ($i \div j$).

9. a. Does Big Rivers regularly compare the price of its coal purchases with those paid by other electric utilities?

b. If yes, state:

(1) how Big Rivers' prices compare with those of other utilities for the period under review.

(2) the utilities which are included in this comparison and their location.

10. What percentage of Big Rivers' coal, as of the date of this Order, is delivered by:

- a. barge?
- b. rail?
- c. truck?

11. a. State Big Rivers' coal inventory level in tons and in number of day's supply as of April 30, 1996.

b. Describe the criteria used to determine number of days supply.

c. Compare Big Rivers' coal inventory as of April 30, 1996 to its inventory target for that date.

d. If actual coal inventory exceeds inventory target by 10 days' supply, state the reasons for excessive inventory.

e. (1) Does Big Rivers expect any significant changes in its current coal inventory target within the next 12 months?

(2) If yes, state the expected change and the reasons for this change.

12. a. Has Big Rivers audited any of its coal contracts during the period from November 1, 1995 to April 30, 1996?

b. If yes, for each audited contract:

(1) Identify the contract.

(2) Identify the auditor.

(3) State the results of the audit.

(4) Describe the actions which Big Rivers took as a result of the audit.

13. a. Has Big Rivers received any customer complaints regarding its fuel adjustment clause during the period from November 1, 1995 to April 30, 1996?

b. If yes, for each complaint, state:

(1) The nature of the complaint.

(2) Big Rivers' response.

14. a. Is Big Rivers currently involved in any litigation with its current or former coal suppliers?

b. If yes, for each litigation:

(1) Identify the coal supplier.

(2) Identify the coal contract involved.

(3) State the potential liability or recovery to Big Rivers.

(4) List the issues presented.

(5) Provide a copy of the complaint or other legal pleading which initiated the litigation, if not previously filed with the Commission.

c. State the current status of all litigation with coal suppliers.

15. a. During the period from November 1, 1995 to April 30, 1996, have there been any changes to Big Rivers' written policies and procedures regarding its fuel procurement?

b. If yes,

(1) What were these changes?

- (2) Provide these written policies and procedures as changed.
- (3) When were these changes made?
- (4) Why were they made?

16. a. Is Big Rivers aware of any violations of its policies and procedures regarding fuel procurement which occurred prior to or during the period from November 1, 1995 to April 30, 1996?

b. If yes, for each violation:

- (1) Describe the violation.
- (2) Describe action which Big Rivers took upon discovering the violation.
- (3) Identify the person(s) who committed the violation.

17. Identify all changes in the organizational structure and personnel of the departments or divisions which are responsible for Big Rivers' fuel procurement activities which occurred during the period from November 1, 1995 to April 30, 1996.

18. a. Identify all changes which Big Rivers has made during the period under review to its maintenance and operation practices and which affect fuel usage at Big Rivers' generation facilities.

b. Describe the impact of these changes on Big Rivers' fuel usage.

19. What actions, if any, has Big Rivers taken during the period under review to implement the recommendations of Overland Consulting's Focused Management Audit?

20. a. List, for each month of the review period, the amounts which Big Rivers has deposited with the Clerk of Henderson Circuit Court as a result of the April 24, 1996 Order in Coastain Coal, Inc. v. Big Rivers Electric Cooperation, No. 96-C1-00052 (Henderson Cir. Ct.).

b. Has Big Rivers passed any of these amounts through its FAC to its customers? If yes, state the month of the pass through and the total amount passed through.